THE MORAL HARMS OF HOMELESSNESS

Bradley Hillier-Smith

OMELESSNESS afflicts thousands of our fellow citizens. In England and Wales, for example, over 350,000 households (individuals or families) experience *core homelessness*, defined as having no permanent address and instead sleeping on the streets, in sheds, garages, cars, hostels, or unsuitable temporary accommodation, or "sofa surfing."¹ Accurate census data is difficult to acquire (due to impermanent locations), yet UK government statistics record that around four thousand individuals sleep rough on the streets each night, with charity organizations estimating the figure as over ten thousand.² Homelessness has increased by 165 percent since 2010 and is projected to increase further due to rising housing costs and diminishing availability of affordable housing (relative to income levels) and as support measures in place during the COVID-19 pandemic (furlough schemes, enhanced housing support, emergency accommodation initiatives) have been withdrawn, with charities warning of a "substantial rise in core homelessness."³

The physical and psychological harms of homelessness are well documented and well established.⁴ For rough sleepers, exposure to the elements, undernourishment, difficulties maintaining personal hygiene, lack of access to health care, high levels of stress, and higher incidences of of drug and alcohol dependency result in increased risk of respiratory disease, infection, malnutrition, dehydration, and cardiovascular and digestive diseases.⁵ Homelessness further takes a severe toll on psychological well-being, with increased rates of acute and chronic depression compared to the general population, deterioration of preexisting psychiatric conditions, and far higher suicide rates compared to the

- 1 Crisis, "About Homelessness."
- 2 Department for Levelling Up, Housing, and Communities, "Rough Sleeping Snapshot in England"; Ministry of Housing, Communities, and Local Government, "Homelessness Statistics"; and Crisis, "About Homelessness."
- 3 Crisis, "The Homelessness Monitor."
- 4 See, for example, Public Health England, "Health Matters"; and Sanders and Albanese, "It's No Life at All."
- 5 Public Health England, "Health Matters."

general population.⁶ In England and Wales, homeless persons are also seventeen times more likely to be victims of physical violence than the general population, and nearly one in four homeless women have been sexually assaulted while sleeping rough.⁷ As a result of these and other difficulties, the average age of death for a homeless person in the United Kingdom is forty-four years old.⁸

In light of these harms, there is something unsettling about the phenomenon of homelessness in contemporary, affluent societies. The severe physical and psychological suffering outlined above provides more than sufficient moral reason to alleviate the urgent plight of the homeless. Yet there is a tacit acknowledgement of homelessness (at least in many contemporary, affluent liberal democracies) as an inevitable and acceptable feature of our social landscape. This tacit acknowledgement is evident interactionally through interpersonal, societal, and public neglect of the homeless: many of us (at least those of us in urban centers) are confronted with vivid examples of acute human suffering each day, yet few of us can claim that we have not ignored or failed to appropriately respond to the needs of those sleeping rough when it was in our means to do so. This tacit acknowledgement is also evident institutionally through political and public policy neglect: there are effective durable solutions readily available to address homelessness (as outlined in section 5), and affluent political societies have the capacity and resources to implement them, yet doing so is rarely a political priority. The severe suffering of homelessness is thus avoidable, yet it is accepted as a tolerable feature of our social landscapes. Call this *the unsettling phenomenon*: the tacit acceptance (and neglect) of the avoidable suffering of homelessness in affluent societies.

Further, with a few important exceptions, homelessness has received relatively little sustained philosophical analysis. This omission is surprising given that homeless persons are, or at least are among, *the* worst-off persons in contemporary liberal democracies and so would expectedly be central to applications of (Rawlsian) conceptions of justice and priority for the worst-off in political and moral theory.⁹ The omission is also surprising given the centrality of hypothetical examples and ostensibly foundational principles within normative and applied ethics regarding aiding those in desperate need if one can

8 Crisis, "About Homelessness."

⁶ Public Health England, "Health Matters."

⁷ Crisis, "Rough Sleepers and Complex Needs," "New Research Reveals the Scale of Violence Against Rough Sleepers"; and Sanders and Albanese, "It's No Life at All."

⁹ See Rawls, *A Theory of Justice*; Parfit, "Equality and Priority"; and Crisp, "Equality, Priority, and Compassion."

do so at little cost.¹⁰ Homeless persons are thus widely ignored not only in everyday interactions and public policy but also in (applied) moral and political philosophy.

This paper therefore aims to provide an account of the underacknowledged moral harms of homelessness, the recognition and alleviation of which would ground and motivate durable solutions to alleviate the plight of the homeless (and thereby address the unsettling phenomenon). The analysis focuses on involuntary homelessness, understood as the involuntary condition of lacking capabilities to obtain (property rights over) permanent housing.¹¹ And the well-established required durable solution is (supported) access to (property rights over) permanent housing.¹² The homeless need homes, and we need an account of the moral harms of homelessness that can ground and motivate obligations to provide them. The few existing accounts of the moral harms of homelessness-the freedom-based account, the privacy-based account, and the care-based account—reveal important insights but ultimately fail to ground obligations to provide durable solutions in the form of permanent housing. This paper therefore advances a novel *status-based account* that reveals a crucial but underacknowledged moral harm of homelessness, addresses the limitations of existing accounts, and is able to ground durable solutions. This account can then provide the normative framework for necessary and urgent reform and thereby help challenge the unsettling tacit acceptance of homelessness in contemporary, affluent societies.

The paper proceeds as follows. Section 1 clarifies the ethics and scope of the inquiry. The next sections critically analyze existing accounts of the moral harms of homelessness: section 2 discusses the freedom-based account, section 3 the privacy-based account, and section 4 the care-based account. Section 5 introduces and develops the novel status-based account. Section 6 then defends

- 11 This paper focuses primarily on the harms endured by those facing "street homelessness": those sleeping rough on the street and also those having access to only temporary night shelters or unsuitable and precarious temporary accommodation. Yet the analysis also applies (to different degrees) to other forms of "core homelessness," including those sleeping in cars, "sofa surfing," or who have other forms of temporary accommodation but lack capabilities to obtain (property rights over) permanent housing.
- 12 Shelter England, "Solution out of Homelessness"; Crisis, "The Plan to End Homelessness"; and Homeless Link, "What Are the Solutions to Homelessness?" By 'homes' I specifically mean the capability to obtain (property rights over) permanent housing (whether provided by the state, rented, or owned) that meets an adequate standard (in providing living conditions sufficient for decent human life). See Wells, "The Right to Housing."

¹⁰ See Singer, "Famine, Affluence, and Morality"; and Scanlon, *What We Owe to Each Other*, 224.

this account against potential objections and demonstrates how it grounds and motivates obligations to provide durable solutions to alleviate homelessness.

1. THE ETHICS AND SCOPE OF THE INQUIRY

There are important concerns about a (predominantly *a priori*) inquiry into the harms of homelessness from researchers (including myself) in positions of relative socioeconomic advantage who have not experienced homelessness. Such an inquiry may seem voyeuristic insofar as it treats the suffering of others as merely a subject of academic interest; it may proceed from assumptions and biases such that the analysis will be detached from the reality and lived experiences of those affected—and may be patronizing in this detachment; it may lead to a divisive and asymmetrical "us and them" relation; or it may contribute to a "savior complex" that risks othering and presuming a passive victimhood and lack of agency on the part of those affected, whose only means of betterment will be at the hands of their more privileged saviors.

These concerns ought to be taken seriously and will thus guide the following proposed constraints on the ethics of the inquiry. It is permissible to engage in an inquiry into the condition of homelessness if and only if (a) the purpose of that inquiry is not merely academic interest but to identify morally salient harmful features of the condition that ought to be alleviated (as a basis for individual, societal, and public policy responses); and (b) the inquiry takes seriously, includes, and broadly corresponds to the perspectives and expressed needs of those affected. These two conditions—of teleological appropriateness and phenomenological correspondence, respectively-can mitigate the concerns. The teleological condition entails the inquiry is not mere voyeuristic academic interest but aimed at motivating responses and durable solutions to alleviate the plight of those affected. The phenomenological condition entails the inquiry takes seriously, includes, and corresponds to the expressed experience of those affected in order to correct for biases, assumptions, and resultant detachment, to respect and affirm the agency and moral and epistemic status of those affected, and to correct for "us and them" distinctions. This inquiry will thus proceed under these conditions.

The scope of the inquiry is limited to an analysis of the *condition* of homelessness, not the *moral responsibility* for homelessness. That is, this inquiry is not concerned with identifying and assigning blame for the causes of homelessness, whether those are public policies, structural factors, or individual responsibility on the part of the homeless themselves (excepting, of course, that considering causal factors may be practically relevant for reform). The inquiry is in this sense forward-looking rather than backward-looking, insofar as it is seeking to better understand the harms of homelessness and how to respond through reform rather than seeking to assign blame for how it came about.¹³

That said, one popular assumption about the moral responsibility of the homeless themselves ought to be challenged. It may be argued (or at least asserted in public discourse) that persons are homeless through their own fault as a result of (a series of) imprudent life choices. Since the homeless are morally responsible for their plight, there is less or no moral obligation on the part of others to alleviate their plight. Some philosophers defend the principle that if an agent is morally responsible for their coming to harm, there is a weaker (or no) obligation on the part of others to alleviate that harm compared to an obligation to alleviate an equal harm that is endured by an agent through no fault of her own.¹⁴ Regardless of whether this principle is sound or not, it is not obviously applicable to homelessness. There are diverse and overlapping causes of homelessness, including but not limited to: structural factors (the supply of and access to affordable and social housing, rates of employment, rates of inflation, rates of wage growth (or stagnation or decline), the extent and provision of and access to social security); interpersonal triggers (evictions (including wrongful ones), the breakdown of familial or personal relationships, domestic violence or abuse, familial or relational ostracization of LGBT+ persons); and person-specific circumstances (being a care or prison leaver, mental health issues, substance and alcohol addiction, or destitution faced by unsupported refugees, asylum seekers, or undocumented migrants).¹⁵ Only a limited number of these diverse and overlapping causes (if any) may plausibly be said to be the fault of the individual.

Moreover, crucially, we need not settle the empirical question. We can suppose it is true that *all* homeless persons are indeed *fully* morally responsible for their homelessness due to imprudent life choices. Even if this were true, we might wonder whether the harms of homelessness, including the immense physical and psychological suffering until early death outlined in the introduction, are a proportionate and deserved outcome or "punishment" for such life

- 13 I borrow the distinction between forward and backward looking from Young, *Responsibility for Justice*.
- 14 For example, David Miller argues that personal responsibility for coming to harm can modify and weaken the duty to rescue that victim. See Miller, "Responsibility and the Duty of Rescue." Luck egalitarianism similarly holds that persons who are responsible for their relative disadvantage are not owed redistribution as a matter of justice, while those who are disadvantaged through no fault of their own as result of brute luck are. See Dworkin, "What Is Equality?" And for critique, see Anderson, "What Is the Point of Equality?"
- 15 See Anderson and Christian, "Causes of Homelessness in the υκ"; Shelter England, "What Causes Homelessness?"; and Ministry of Housing, Communities, and Local Government and Department for Work and Pensions, "Homelessness."

choices. After all, it is widely accepted that even those who have committed and are then convicted of the most serious crimes are nonetheless entitled to shelter, health care, mental health support, three meals a day, and basic subsistence during their incarceration. The homeless are plausibly worse-off (at least in many crucial respects) than imprisoned criminals. Indeed, it is well documented that some homeless persons commit minor offenses, especially in winter months, in order to be arrested, locked up, and thereby have a bed and a warm meal.¹⁶ If deprivation of subsistence and an early death would be a disproportionate outcome relative to the most severe crimes, then deprivation of subsistence and an early death must *a fortiori* be a disproportionate outcome relative to the purported imprudent life choices of those who have ended up homeless. Thus, even if the homeless are responsible for their homelessness, the severity of that plight far outstrips the harm they are liable to incur on account of that responsibility. Therefore, there will remain duties to alleviate the underserved harms of homelessness. The claim that the homeless are morally responsible for their situation therefore is almost certainly false and, even if true, would not negate moral obligations to alleviate their plight. Hence, we can dismiss this claim going forward.

The final clarification of this inquiry is that it seeks to identify the moral harms of homelessness, which are understood as setbacks to morally salient interests and capacities (which are components of human well-being) that intuitively generate moral reasons in nonrelated agents to alleviate such setbacks. Physical suffering and psychological suffering constitute moral harms. Yet persons have other morally significant interests, needs, and capacities beyond physical and mental health that constitute elements of their well-being. Proposed candidate components of well-being include autonomy, liberty, personal security, important knowledge, achievement in life projects, friendship or deep personal relationships, and a dignified existence, among others.¹⁷ These pluralistic conceptions of the components of well-being theoretically support the independently plausible view that human beings have certain morally important capacities and interests beyond physical and psychological well-being, and thus setbacks to these capacities and interests as components of well-being will be harmful to them. Hence, persons can be harmed in ways beyond setbacks to physical and psychological health. However, not all such harms will necessarily be moral harms (in generating moral reasons in nonrelated others to alleviate such setbacks). For example, if a head injury caused me to lose some knowl-

¹⁶ Ramesh, "A Fifth of All Homeless People Have Committed a Crime to Get off the Streets."

¹⁷ See Hooker, "The Elements of Well-Being"; and Martha Nussbaum's central capabilities in *Frontiers of Justice*.

edge about the life and music of my favorite musician, this would plausibly be a harm to me, but not a moral harm since, intuitively, strangers would not have sufficient moral reason to care about it and seek to restore my knowledge.¹⁸ By contrast, if I (or anyone) were subjected to cruel and degrading treatment, this would also be a harm to me as (at least) a setback to an interest in a dignified existence, and this would be a moral harm since, intuitively, others would have reason to care that I suffered this harm and reason to alleviate it.

Thomas Nagel's discussion of the distinction between subjective (agent-relative) values and impersonal (agent-neutral) values can clarify this idea of moral harms.¹⁹ Something has subjective value to the extent that any particular agent values it. Something has impersonal value to the extent that all agents have reason to value it. My knowledge about my favorite musician has subjective value to the extent that I myself care about it, but not impersonal value since not every other person has reason to value it. In contrast, my avoiding cruel and degrading treatment does have impersonal value, since avoiding cruel and degrading treatment is something that all persons have reason to value, and thus enduring cruel and degrading treatment is something that is apt to generate reasons in others to care about alleviating such a harm. Nagel argues that only things with such impersonal value provide "the raw material for ethicsthe basis of our claims to the concern of others."²⁰ Drawing from Nagel, a moral harm is thus a setback to an element of well-being that has impersonal disvalue (everyone has a reason to avoid such a setback) and thus generates reasons for any and all nonrelated others to care about and alleviate it. It is these moral harms we are seeking to identify within the condition of homelessness in order to ground and motivate durable responses. Let us now assess existing accounts and their limitations.

2. THE FREEDOM-BASED ACCOUNT

Jeremy Waldron's freedom-based account highlights how (negative) freedom to ϕ (without interference) requires a spatial component.²¹ In order to be free to ϕ , one must have a location in which to ϕ . If one is not free to be in a certain place (at least not without interference), then one is not free to perform any action in that place, and if one is not free to be in any place (at least not without

- 20 Nagel, The View from Nowhere, 167.
- 21 Waldron, "Homelessness and the Issue of Freedom."

¹⁸ The following would be a good place to start: MacDonald, Revolution in the Head.

¹⁹ Nagel, The View from Nowhere.

interference), then one is not free to do anything, and one is thus "comprehensively unfree."²²

A homeless person is not free to enter any individual private property (individuals' private houses, gardens, apartments, lands, and so on), at least not without permission, and is liable to forcible removal (by the state) if they try. Homeless persons also face restrictions on freedoms to enter and perform actions in private commercial properties (cafes, restaurants, shops, offices, and so on) and are liable to interreference or removal. Homeless persons may lack the material means to be customers, and most of us do not fully appreciate the exclusionary significance of signs that read "toilets for customers only." The homeless of course lack their own private property in which they are free to be and to perform any action they wish. The only remaining spaces are collective public spaces (parks, public squares, pavements, streets, underground subways, stairwells, and so forth). Yet even here, restrictions apply. Parks, squares, stairwells, and walkways can close, and the range of permitted actions is restricted. One is not free to sleep, wash, or relieve oneself in these spaces, for instance, and one is liable to removal or interference if one tries. And these last remaining spaces are progressively further restricted by regulations. Waldron notes regulations preventing the homeless from sleeping in New York subway stations, and we can note similar restrictions in the United Kingdom.²³ Public benches have dividers or are curved to prevent sleeping, and gates close off shop doorways or public walkways after certain times. "Anti-homeless spikes" (metal spikes placed on pavements), deliberate noise pollution, and "wetting down" practices (spraying spaces with water) aim to prevent the homeless from resting in certain spaces.²⁴ And the phenomenon of "pseudo-public spaces" adds further restrictions: local authorities sell public spaces to private developers, resulting in ostensibly public spaces such as squares and walkways being owned by private institutions that enforce their own regulations with private security guards, removing persons for unsanctioned behavior such as loitering, sleeping, or "looking scruffy."25

Such hostile architecture, practices, and regulations corrode the freedom of homeless persons even further, such that, as Waldron emphasizes, "for anyone who values choice and freedom, it ought to be a matter of concern that the choices left open to a person are progressively closed off one by one so that he is

- 22 Waldron, "Homelessness and the Issue of Freedom," 33.
- 23 Waldron, "Homelessness and the Issue of Freedom," 41.
- 24 Crisis, "Crisis Uncovers Dehumanising Effects of Defensive Architecture."
- 25 Shenker, "Revealed."

nearing a situation where there is literally nowhere he can turn."²⁶ And for Waldron, a particularly severe manifestation of the condition of unfreedom is that restrictions on sleeping, washing, and relieving oneself in public places effectively preclude homeless persons from being free to perform these fundamental human functions essential for physical well-being (without interference).²⁷

Waldron's insightful freedom-based account thus reveals a serious and underacknowledged moral harm of homelessness. Deprivations of basic freedoms endured by our fellow citizens ought to be considered a pressing normative concern. However, this account faces certain limitations insofar as it is unable to ground sufficiently substantive or adequate responses to the plight of the homeless. Note that it does not follow from the freedom-based account that durable solutions in the form of permanent housing ought to be provided to alleviate the condition of unfreedom. Rather, all that is required is that some place be provided in order for the homeless to freely perform certain actions for example: sleep, wash, or relieve oneself. This may require nothing more than the provision of some temporary night shelters, public toilets, and washing facilities, or even simply fewer restrictions on sleeping, washing, and relieving oneself in public spaces.²⁸ In the nearest possible world in which there were fewer such restrictions, Waldron's arguments would no longer apply, as the homeless would be as free as anyone else to perform these actions. This may be an improvement, but not a sufficiently substantive response: this would not be a world where the homeless were much better-off, or their plight adequately addressed.

It may be objected that the salient freedom that the freedom-based account illuminates is the freedom that comes with having a home—a place to be free to do whatever one wishes (relax, eat, sleep, wash, and simply be) without risk of interference from the state (or anyone else). However, the freedom-based account does not by itself entail that a home per se is necessary for such freedom, only that *some place* be provided for the homeless to be free to perform these actions without interference. For instance, consider the following case.

Liberty Spaces: The UK government, compelled by the deprivation of freedom of homeless persons, provides "liberty spaces": specified areas of rural land where the homeless are free to perform whatever (noncriminal) actions they wish without interference by the state. No one is forced to enter such liberty spaces, but they are available for the homeless if they wish. The UK government now rests content that homeless persons possess the freedom to do whatever they wish, whenever they wish.

- 26 Waldron, "Homelessness and the Issue of Freedom," 45.
- 27 Waldron, "Homelessness and the Issue of Freedom," 43.
- 28 Bart van Leeuwen raises a similar concern ("To the Edge of the Urban Landscape," 591).

Such a proposal would be clearly unacceptable, inadequate, and an abject failure to take seriously or appropriately respond to the needs and plight of the homeless. However, the freedom-based account risks the implication that such "liberty spaces" represent an adequate response and improvement, and it cannot explain why such a proposal would be inadequate or unacceptable, since those liberty spaces sufficiently address the freedom deprivations to which the account objects. Therefore, though the freedom-based account identifies a crucial moral harm, it is unable to ground an obligation to provide substantive or adequate responses to homelessness, including durable solutions in the form of (property rights over) permanent housing. This account therefore ought to be supplemented (as will be discussed in section 6).

3. THE PRIVACY-BASED ACCOUNT

Shyli Karin-Frank's privacy-based account draws upon a distinction between being *on stage* and being *off stage*.²⁹ On stage describes the public dimension of our lives: the performance of behaviors, speech acts, self-presentations, and social roles in keeping with social norms, judgements, and expectations. Off stage describes the private dimension, where one can withdraw from social expectations and pressures, engage in behaviors, speech acts, and self-presentations in stronger accordance with one's own will and curate one's own individuality. The home is "the most permanent and well-defined off stage," as a physical and socially accepted means of seclusion from society. One can close the door, shut out the world, "take off one's social dress," and be free from the public's gaze, expectations, and judgements. Such privacy is essential for psychological well-being (in making emotional relief from exhausting moral and social life possible), for autonomy (as a sphere to live one's life more in accordance with one's own will and to choose "when and how to appear in public"), and for individuality (as a sphere to define and develop one's self).³⁰

For the homeless, there is no off stage. They are instead constantly on stage in the public gaze, subject to the expectations and judgements of society, with no space to withdraw. Such constant exposure is exhausting and damaging to psychological well-being. It is also damaging to autonomy and individuality, as homeless persons are deprived of a secluded sphere to control how and when to appear in public, to live and present their lives according to their own will, and to develop their individualities. Hence, for Karin-Frank, homelessness is a

- 29 Karin-Frank, "Homelessness, the Right to Privacy, and the Obligation to Provide a Home." The distinction is taken from social psychologist Erving Goffman.
- 30 Karin-Frank, "Homelessness, the Right to Privacy, and the Obligation to Provide a Home," 259, 260–63.

condition of privacy deprivation, which is devastating to psychological well-being, autonomy, and individuality.

This privacy-based account reveals a crucial, underacknowledged moral harm of homelessness. Deprivations to privacy as well as to psychological well-being, autonomy, and individuality are plausibly serious harms endured by those facing homelessness. However, there are again limitations to this account. The account does not by itself ground or motivate an obligation to provide adequate durable solutions; rather, only some means of privacy are required, which does not seem sufficient for psychological well-being, autonomy, or individuality. Consider that if privacy from public expectations and judgements will enable psychological well-being, autonomy, and individuality, then it is not the case that a home is necessary for such privacy. Rather, the privacy-based account implies that, for example, providing portable curtains to homeless persons to be free from the public gaze and be off stage would be an improvement to their plight insofar as this would address their privacy deprivations (and thereby further enable psychological well-being, autonomy, and individuality). Yet this would manifestly be an inadequate response. Indeed, pressing this worry, consider the following case.

Invisibility: The UK government, concerned with the privacy deprivation of the homeless, mandates that everyone wear a type of contact lenses that obscure the homeless from their vision, and each homeless person is made aware that no one can see them. The homeless therefore have maximum privacy and are free from the public's gaze and social judgements.

The privacy-based account risks the implication that such invisibility would be an improvement for the homeless. However, clearly, invisibility would not alleviate the harms that homeless persons face nor enhance their psychological well-being, autonomy, or individuality. Invisibility would not enable opportunities for homeless persons to live their lives as they would wish nor to develop their individualities. Rather, it would remain the case that their opportunity sets were severely constrained by a lack of material goods and adverse circumstances, such that their actions and lives were governed by meeting survival needs rather than their own will, and they thereby also lacked the opportunities to develop their individualities. This reveals that it may not necessarily be *privacy* deprivation that explains the diminishment of autonomy or individuality but more plausibly *material* deprivation.

Thus, addressing privacy deprivation alone will not necessarily enhance autonomy, individuality, or well-being nor provide a sufficiently substantive improvement. There is also a concern that enhanced privacy (i.e., in the form of invisibility) may even exacerbate the harms of homelessness in certain respects. As will be discussed in more detail in section 5, one serious harm that homeless persons face is that they are already in one sense "invisible" insofar as they are ignored, dismissed, walked past without sufficient response to or recognition of their needs or even existence. More seclusion or privacy could thus exacerbate their social isolation and societal and political neglect.

It may be objected that the privacy-based account can indeed ground an obligation to provide permanent housing, since a home allows agents control over being on and off stage and provides the security and seclusion from the pressures of society necessary for psychological well-being, autonomy, and individuality. It is thus the *privacy of the home* rather than privacy itself that is fundamental and must be provided.

In response, it is contestable whether it is the *privacy* of the home or simply the *home* itself that is operative here. Having a home, understood as (property rights over) permanent housing, would indeed improve psychological well-being in providing safety and emotional relief from the pressures and dangers of the outside world, autonomy in the form of increased control over one's life and environment, and enhanced space and capabilities to live one's life according to one's will and cultivate one's individuality. But if it is the home itself that enables these goods, it is not clear what important role privacy plays. Privacy will not itself (as shown above) improve psychological well-being, autonomy, or individuality; a home would—but this is not something that the privacy-based account as it stands gives sufficient grounds to provide.

Hence, the privacy-based account does reveal important moral harms of homelessness: privacy deprivation, as well as diminished capacity for psychological well-being, autonomy, and individuality. However, this account cannot, as it stands, ground an obligation to provide adequate durable solutions and must therefore also be supplemented (as will be discussed in section 6).

4. THE CARE-BASED ACCOUNT

The care-based account, as defended by Nel Noddings and Bart van Leeuwen, takes care ethics as its foundation and focuses on the expressed and implicit unmet basic needs of homeless persons and on establishing supportive social relations.³¹ As Noddings outlines, the acute basic needs of homeless persons—including shelter, safety, subsistence, and physical and mental health

³¹ Noddings, *Starting at Home* and "Caring, Social Policy, and Homelessness"; and Van Leeuwen, "To the Edge of the Urban Landscape."

care—ought to be of primary moral concern.³² Addressing the full range of such needs requires providing a home: "The homeless need homes, not halfway measures that actually contribute to their continued homelessness."³³ A home provides for physical needs (shelter, a place to eat, sleep, and wash), practical needs (an address to register to vote, register a bank account, and apply for social security), and a sense of identity and self-respect, all at once. Since providing a home addresses a wide range of such needs, it ought to be considered a fundamental need itself and thereby a moral right that the state has an obligation to fulfil. Therefore, the "first priority" on a care-based account ought to be "securing homes for the homeless."³⁴

Van Leeuwen further endorses this account (over freedom-based and privacy-based accounts) because of three advantages.³⁵ First, it identifies the appropriate locus of moral concern: basic unmet needs as opposed to abstract ideals of freedom or privacy. Second, the focus on individual needs allows for adaptable, individualized responses. Third, the emphasis on relationships foregrounds one important need and route out of homelessness: the maintenance of supportive social networks.

This care-based account is therefore vital and indeed promising in focusing on plausibly the most urgent moral harm of homelessness: the deprivation of basic needs. However, unfortunately, this account does face at least three limitations. First, *contra* Noddings, the care-based account does not in fact ground an obligation to provide *a home* per se. Rather, this account, in theory and practice, justifies placing the homeless in *any* form of accommodation deemed by others as appropriate for them, so long as that accommodation meets their basic needs. This concern is revealed in one of Noddings' proposals: "We might suggest, for example, that abandoned military camps be used to house and re-train the homeless." Noddings expands:

If we agree that privacy, control over one's own movements, a certain unity of life afforded by home-like settings, and access to growth-inducing encounters are essential, that these are basic needs, then we can organize any available facilities with these needs in mind. It is wasteful to allow military structures to sit idle; they can be converted to civilian use.³⁶

- 32 Noddings, "Caring, Social Policy, and Homelessness."
- 33 Noddings, "Caring, Social Policy, and Homelessness," 445.
- 34 Noddings, "Caring, Social Policy, and Homelessness," 444–48.
- 35 Van Leeuwen, "To the Edge of the Urban Landscape," 596–97.
- 36 Noddings, "Caring, Social Policy, and Homelessness," 488.

This proposal risks disrespecting the equal moral worth of homeless persons by treating them as defective social elements to be marginalized from society, retrained, and housed in facilities deemed suitable for them by others. And such a proposal exemplifies how the care-based account does *not* ground an obligation to provide a home per se but rather grounds an obligation to provide any form of accommodation deemed suitable by others, so long as it provides for basic needs.

This concern is compounded by the care-based account's second limitation: the justification of coercion. Noddings holds that the homeless should be coerced into using accommodation facilities and coerced into working to pay their way for the facilities. To be sure, Noddings holds that concerns raised by the homeless ought to be taken seriously and that a caring relationship is one of negotiation—yet "questions of coercion arise at every level," and this coercion is oftentimes justified.³⁷ This justification of coercion and of overriding the will of homeless persons disrespects their agency and autonomy, and this ought to be concerning to anyone who agrees that homeless persons (equally as anyone else) are entitled to decide for themselves how to live their lives.

The justification of coercion results from a deeper theoretical problem. The care-based account explicitly draws analogies with parent-child care relations. A parent ought to care for and respond to the expressed needs of the child but also ought not to indulge *every* expressed need, instead responding to the *inferred* needs of the child—and coercion is often justified. Noddings cites the example of not indulging every wish of a child to avoid homework, instead inferring her actual need to study and therefore permissibly coercing her to study.³⁸

This application of parent-child ethics to homelessness raises problems. First, it risks being insulting and patronizing. Homeless persons are not passive victims merely to be pitied and nurtured, nor children to be coerced and disciplined, but autonomous agents entitled to respect as moral equals. Second, it risks instantiating a conceptual division between "us" and "them" or the carer and the cared-for. "Us" are those in a (parental) position who know best and may coerce "them" in their best (inferred) interests. This division places "us" or the carers in an objectionable asymmetrical power relation over "them" or the cared-for, who are cast as inferior subjects of dependence and domination, apt to be coerced against their will by more enlightened saviors. Both these problems—infantilizing the homeless and othering them as inferior subjects

³⁷ Noddings, "Caring, Social Policy, and Homelessness," 447.

³⁸ Noddings, "Caring, Social Policy, and Homelessness," 443.

of care—are instances of failing to respect the equal humanity and moral worth of the homeless.

The two limitations outlined above give rise to the third limitation: the care-based account risks justifying objectionable coercive accommodation policies. Since on this account it is required only that (inferred) basic needs are addressed, and coercion is justified, there can be no principled objection to coercing homeless persons into certain institutions. For instance, consider the following case.

Workhouses: In Britain, under the 1834 Poor Law (Amendment) Act (and similar "poor laws"), the poor were coerced into a network of workhouses: support from the state for the poor was conditional on their residence and labor in workhouses, with further instances of involuntarily apprehension and incarceration. The workhouses provided accommodation, food, and clothing, and inhabitants were coerced to engage in manual labor. The workhouses aimed to take "beggars" off the street, reduce state expenditure on social support, and instill a work ethic in the "idle poor."³⁹

Such "poor laws" and workhouses are now rightly regarded as unconscionable acts of impermissible coercion and cruelty against the most disadvantaged members of society. Yet the care-based account risks providing no principled objection against coercing the homeless into such workhouses so long as those workhouses do in fact provide for basic needs.

The care-based account may be argued to avoid this objection and the limitations outlined above. For instance, anticipating concerns regarding disrespect, autonomy, and coercion, Van Leeuwen suggests that "care for needs and respect for autonomy are not mutually exclusive principles," and "the care offered should always remain dialogic and open to negotiation, instead of becoming a self-righteous construal of the homeless as passive objects of care."⁴⁰ However, Van Leeuwen does not provide sufficient further support for these claims. Indeed, Van Leeuwen acknowledges that on the care-based account, "tensions between [respect for autonomy and caring for needs] arise, for instance, when someone's own vision of her good is overruled in the name of care for what other people think are her 'real needs.'"⁴¹ And this tension, Van Leeuwen further acknowledges, entails a risk of abusive coercion. For example, Noddings outlines three sites of permissible coercion of the homeless: (1) coercing the

- 40 Van Leeuwen, "To the Edge of the Urban Landscape," 599, 603.
- 41 Van Leeuwen, "To the Edge of the Urban Landscape," 599.

³⁹ Davis, A History of Britain, 4; and McCord and Purdue, British History, 71–72, 191–93.

homeless into accommodation; (2) coercing inhabitants of accommodation to work and contribute; and (3) medically intervening with homeless psychiatric patients.⁴² Van Leeuwen is sensitive to the risk of abuse of coercive power at each of these sites.⁴³ To address these risks, Van Leeuwen first suggests that review systems be instituted to hold politicians accountable and to prevent coercing the homeless "in the name of care" through forcible relocation and/ or institutionalization. Second, accountable and transparent review systems ought to determine if coercion, in the form of incentives to contribute to or move on from supported accommodation, is necessary and justified. And third, Van Leeuwen outright rejects forced medical treatment unless there is an acute risk of harm to self or others. Overall, the "general answer" to these risks of abusive coercion is for review systems to "cover the care takers and their practices in order to avoid power misuse."⁴⁴

Hence, Van Leeuwen does not provide a principled objection to coercion itself, only proposals to mitigate the worst "abuses" of coercion. Yet these proposals themselves appear somewhat ad hoc. Coercion *is* justified on the care-based account, and Van Leeuwen does not object to coercing homeless persons into institutions or accommodation or coercing them to work or move on. Therefore, there is no principled reason to propose regulations to prevent authorities from coercing the homeless in these ways. Moreover, Van Leeuwen's proposals to mitigate the abuses of coercion do not address the central flaw of the care-based account—that coercion itself is justified, which generates this risk of abuse in the first instance. Thus, if a government were to coercively relocate and institutionalize the homeless into workhouses that met basic needs, there are no sufficient safeguards in the care-based account that could justify regulations to prevent this.

Instead, I suggest we (and defenders of the care-based account) retain the crucial insight that care for basic needs is of paramount moral importance but reject the justification of coercion. A prohibition on coercion and, in its place, a respect for autonomy would more adequately guard against the potential for abusive coercion, avoid the workhouse objection, and result in treating home-less persons with the respect they are entitled to as agents rather than infantilize them as subrational beings that require our coercive care.

The care-based account does successfully identify and emphasize the moral harm of acute yet neglected basic needs and foregrounds the moral importance of responding to such needs. However, as it stands, it does not ground an

⁴² Noddings, "Caring, Social Policy, and Homelessness," 447, 450.

⁴³ Van Leeuwen, 599–602.

⁴⁴ Van Leeuwen, 602.

obligation to provide a home, and it justifies coercion and unacceptable public policy proposals. For these reasons, the care-based account also ought to be supplemented (as will be discussed in section 6).

5. THE STATUS-BASED ACCOUNT

I now turn to outline my proposed status-based account. This account is at basis drawn from three analyses of poverty and/or homelessness from Naomi Zack, Jiwei Ci, and Jonathan Wolff that, despite their nuanced differences, broadly share an underlying theme, which we will call *social status harm*.

Zack suggests that certain authoritative social norms and expectations permeate contemporary affluent, liberal societies, including conceptions of the conditions necessary for a person to be deemed to be a valuable member of society.⁴⁵ There are expectations that one participates in employment and political and civic life and has a domain of privacy (typically one's home) to perform actions deemed private; and there are norms of what Zack calls sym*bolic value materialism*.⁴⁶ Symbolic value materialism is the evaluative practice whereby commodities are valued more for their nonmaterial properties than for their needs-satisfying material properties. Instead of valuing food, clothing, and housing in strict accordance with their needs-satisfying properties, we attach additional value to gourmet food, designer clothes, luxury housing, and so forth. Participants in a society with norms of symbolic value materialism are then liable to view the acquisition and consumption of the inflated value items as markers of higher social status and their nonacquisition and nonconsumption as markers of lower social status. And Zack further suggests that having a home is itself a paradigm marker of social standing: "The strong normativity of having a relation-place—'Thou shalt have a home'—is a kind of absolute."⁴⁷

We can draw from Zack's analysis that homeless persons may be less or unable able to attain such markers of social status or standing; and as a result, are liable to being perceived and treated by others as having less or no social status, or, in other words, as being less (or non) valuable members of society.

Ci's analysis of poverty outlines a similar concern. Ci introduces *status poverty* as "a special kind of lack of status that is characteristic of a society in which money is an all-important marker of social standing."⁴⁸ For Ci, those who endure material poverty will, as a result, also endure status poverty, whereby

- 45 Zack, Homelessness, Philosophy, and Public Policy.
- 46 Zack, Homelessness, Philosophy, and Public Policy, 184–85.
- 47 Zack, Homelessness, Philosophy, and Public Policy, 185.
- 48 Ci, "Agency and Other Stakes of Poverty," 126.

they are deemed to have inferior social status. Ci explains that "status poverty is found in societies in which social status is closely linked to things that only money allows one to do, so that the lower one's economic position, the fewer such things one is able to do, and the greater one's social exclusion will be."⁴⁹

We can draw from Ci's analysis that if homeless persons lack certain resources and opportunities to participate in activities and acquire goods that carry meanings of social status, this nonparticipation and nonacquisition will carry with them negative social meaning, social exclusion, and a perception of lower status. Thus, the homeless will endure status poverty.⁵⁰

Last, Jonathan's Wolff's influential analysis of poverty emphasizes *social needs*: needs to participate in social activities and relations that are customary in the society in which one lives.⁵¹

In addition to wanting to meet physiological animal needs of physical efficiency, many people put a high priority on what is necessary to achieve a normal human life in the circumstances in which they live. Such needs will come in at least two forms: first, those that help secure a reasonable social and family life; and second, those that meet local social norms of a respectable existence.⁵²

On Wolff's analysis, social participation (or "fitting in") is an essential need as a source of affirmation of one's equal humanity, which can be devastating to a sense of self-worth if deprived.

We can draw from Wolff's analysis that homeless persons may lack resources and opportunities to meet such social needs. Not only is this inability a harm to a sense of self-worth, but nonparticipation in customary social activities and nonattainment of social norms for a respectable existence also contribute to the perception and treatment of homeless persons by others as being lesser members or nonmembers of society. This is something Wolff is sensitive to: "Lack of resources can lead to [social] exclusion, which is one of the asymmetrical

- 49 Ci, "Agency and Other Stakes of Poverty," 126.
- 50 Ci in fact mostly focuses on *agency poverty*: the condition of lacking resources and opportunities to have power over and affect one's environment and life direction. This, in Ci's view, is "the real sting" of poverty.
- 51 Wolff, "Social Equality, Relative Poverty and Marginalised Groups," "Poverty," and "Beyond Poverty." Wolff's analysis is itself inspired by Adam Smith's famous contention in *The Wealth of Nations* that persons require means in order to appear in public and participate in social activities without shame or humiliation (869–72).

⁵² Wolff, "Poverty," 3.

or alienating (possibly both in this case) social relations to which social egalitarians object."⁵³

The proposed status-based account draws these insights together to hold that those who face homelessness may lack the resources and opportunities to obtain markers of social standing (Zack), to avoid status poverty (Ci), and to meet social needs (Wolff)—and will thereby endure being perceived and treated as socially inferior and the resultant social exclusion and marginalization. Call this common diagnosis *social status harm*, which obtains if and when one's lack of resources and opportunities leads to perception and treatment of one by others as having inferior or no social status or as being a less valuable or nonvaluable member of society.

Social status harm is itself a significant harm for the homeless. Homeless persons are excluded, marginalized, and alienated from society, unable to participate as society (literally) walks past without them. Such social isolation is a well-documented challenge, with many homeless persons reporting feelings of being excluded from and "invisible" to society.⁵⁴ Further, homeless persons are often viewed and treated not as social equals but as subcitizens ("drains on society," "public nuisances," "social parasites," "scroungers," "tramps," and so forth), as those who are homeless often report. As a homeless man named Dan reported to researchers in 2016, "The kind of treatment you get off the public sometimes, you know, calling you a tramp or a smack head and things like that and they don't know you at all, you know? But yeah, you know, you very much feel on your own."⁵⁵ To be viewed and treated as socially inferior in these ways is manifestly a harm to homeless persons.

Yet the status-based account expands further beyond this to hold that this social status harm leads to an even worse and underacknowledged harm. I suggest that homeless persons are viewed and treated as sufficiently socially inferior to the extent that their status as homeless is one that carries *stigmatiza-tion*. Following Elizabeth Anderson, persons are stigmatized if and when they "are subject to publicly authoritative stereotypes that represent them as proper objects of dishonor, contempt, disgust, fear or hatred on the basis of their group identities and hence properly subject to ridicule, shaming, shunning, segregation, discrimination, persecution and even violence."⁵⁶ Though Anderson does not apply this concept to homelessness (instead framing her analysis against

- 53 Wolff, "Social Equality, Relative Poverty and Marginalised Groups."
- 54 Sanders and Brown, "I Was All on My Own"; and Sutton-Hamilton and Sanders, "I Always Kept One Eye Open."
- 55 Sanders and Albanese, "It's No Life At All," 12.
- 56 Anderson, "Equality," 43.

racist, sexist, homophobic, ableist, and other stigmatizing social relations), this diagnosis straightforwardly applies. As we have seen and is well documented, homeless persons are treated as objects of dishonor, contempt, disgust, and oftentimes fear and hatred on the basis of their identities as homeless, and subsequently subjected to ridicule, shunning, shaming, segregation (recall the hostile architecture and regulations of public spaces), as well as discrimination, persecution, and violence (as will be discussed in more detail below). Homeless persons are therefore treated as socially inferior to the extent that they are *stigmatized* on the basis of their social identity as homeless.

I suggest that it is at this site of stigmatization that the perception and treatment of homeless persons as having inferior social status becomes a perception and treatment of homeless persons as having inferior moral status. This is because stigmatization is a *dehumanizing* process. Stigmatization involves the identification of a trait or characteristic as undesirable or as a defect (for instance, being homeless); subsequently, the stigmatized person's perceived identity is narrowed to that trait or characteristic, such that "if the marked trait is the primary focus of an individual's social interactions, this prevents him or her from being seen as a human being with a complex social identity and interests."57 As Martha Nussbaum's analysis of stigmatization suggests, the reduction of a person's identity to the marked trait results in a "loss of uniqueness" and the subject becoming "a member of a degraded class," which denies "both the humanity we share with the person and the person's individuality."⁵⁸ And in Erving Goffman's words, "the subject is reduced in our minds from a whole and usual person to a tainted, discounted one.... We believe the person with a stigma is not quite human."59 Hence, stigmatization dehumanizes the subject such that they are no longer viewed or treated as a human being and (thereby) as having equal moral worth but rather viewed or treated as something less. Homeless persons are stigmatized in virtue of their homelessness and endure this process of dehumanization, and are thus viewed and treated not as equal human beings with equal moral worth but as something less—"defective," a "nuisance," "tramps," "parasites," or "pests"—with less moral worth.⁶⁰ Therefore,

- 57 Chen and Courtwright, "Stigmatization."
- 58 Nussbaum, Hiding from Humanity, 221.
- 59 Goffman, Stigma, quoted in Nussbaum, Hiding from Humanity, 221.
- 60 George Orwell reaches a similar conclusion. His diagnosis of the harmful condition of homelessness, which leads to further harms, is that homeless persons endure "prejudice" against them as "tramps" and "blackguards." They are stereotyped based on an "ideal [that] exists in our minds of tramps as repulsive and dangerous creatures." This ideal is a false stereotype but is entrenched and obscures the complexities of the individuals and "the real questions of vagrancy." See Orwell, *Down and Out in Paris and London*, ch. 36.

homeless persons endure social status harm to such an extent that they are stigmatized, and as result of their stigmatized status, are treated as not only socially inferior but *morally inferior*. Call this *moral status harm*, which obtains if and when one is viewed and treated by others not as a human being with equal moral worth but as having inferior moral worth.

Though any plausible theory in normative ethics holds that each person has equal moral worth or status, the Kantian formulation is arguably the most influential: all persons have an equal absolute and intrinsic moral value or moral worth as ends in themselves, and accordingly, all persons ought to be treated with due respect.⁶¹ But it does not require a commitment to Kantianism to recognize the independently plausible view that all persons are moral equals, that we each have a fundamental interest in being viewed, respected and treated by our fellow human beings *as a human being with equal moral worth*, and that this is a component of our well-being. To be viewed and treated as morally inferior, then, is a harm as a setback to this interest and component of well-being. It is to be treated as if, morally, one does not count or counts for less compared to others, and one's interests and needs do not matter morally, or matter less compared to those of others. This is a crucial underacknowledged moral harm of homelessness.

This harm of being viewed and treated as morally inferior is one that homeless persons endure and are all too aware of. Homeless people report being ignored, dismissed, treated with contempt, and/or disrespected by members of the public. John Sparkes, chief of the UK organization Crisis, notes, "Many people we work with tell us that not being acknowledged or treated as a fellow human being can be just as painful as the physical hardships."⁶² Two thirds of those surveyed by Crisis said that after becoming homeless, they were treated differently by others, with testimonies that others "look at you like you're a piece of dirt" or "like I'm a piece of shit on your shoe."⁶³ As one rough sleeper, Fiona, testified to Crisis researchers, "I don't think people look on homelessness as serious and sort of think to themselves they're a waste of time—they sort of don't consider that they've had a life and what has brought them to this point."⁶⁴

Moreover, many of us, as comparatively affluent members of the public, regularly ignore or walk past the homeless (often with spare change in our pockets) without doing any small thing to help, donating to relevant aid agencies,

- 61 Kant, Groundwork for the Metaphysics of Morals, 434–35.
- 62 BBC, "How to Help If You See a Sick Homeless Person."
- 63 Sutton-Hamilton and Sanders, "I Always Kept One Eye Open," 50, 35.
- 64 Sanders and Brown, "I Was All on My Own," 11.

or even acknowledging their existence (often even when they explicitly and directly ask us for some form of assistance). This neglect too is an example of treating homeless persons as having inferior moral worth. To borrow a phrase from Derek Parfit writing in a different context, this neglect is to view and treat the homeless "as a mere thing, something that has no moral importance, like a stone or heap of rags lying by the side of the road."⁶⁵ And this neglect can have tragic consequences. In 2019, for example, Mark Mummary died in Grimsby, and his body lay on the street for hours before anyone appeared to notice or take action.⁶⁶

Being viewed and treated as morally inferior also underpins and is manifested in further serious harms of abuse and violence. As we saw, in England and Wales, those sleeping rough are seventeen times more likely to experience violence, and nine in ten will be subjected to abuse and/or physical violence.⁶⁷ Homeless people face verbal abuse, harassment, threats and intimidation, having their belongings vandalized, damaged or stolen, and their collected change stolen.⁶⁸ They are spat on, urinated on, physically (and in certain cases, sexually) assaulted, and, in some cases, are set on fire while asleep.⁶⁹ It almost goes without saying that such treatment is incompatible with respecting the equal moral worth and humanity of the homeless.

Further, this moral status harm is manifested in public policy. It is widely accepted that to recognize and respond to the moral equality of citizens, the state is required to treat those citizens with "equal concern and respect," to use Ronald Dworkin's famous formulation.⁷⁰ A state, through its policies, practices, and institutional arrangements, can *fail* to do so and instead treat certain citizens as inferior, with disregard and disrespect in various ways.⁷¹ Elizabeth Anderson and Richard Pildes outline how, in failing to treat certain citizens with equal concern and respect, state policies, practices, and institutional arrangements

- 65 Parfit, On What Matters, 1:227.
- 66 BBC, "How to Help If You See a Sick Homeless Person."
- 67 Crisis, "New Research Reveals the Scale of Violence Against Rough Sleepers"; and Sutton-Hamilton and Sanders, "I Always Kept One Eye Open," 5.
- 68 Sutton-Hamilton and Sanders, "I Always Kept One Eye Open."
- 69 Crisis, "New Research Reveals the Scale of Violence against Rough Sleepers"; Marsh and Greenfield, "A Lot of the Attacks Are Alcohol-Related, and the Homeless Are Easy Prey"; and ITV, "It Was a Lucky Escape."
- 70 Dworkin, Taking Rights Seriously, 180. See also Anderson and Pildes, "Expressive Theories of Law"; and Voigt, "Relational Equality and the Expressive Dimension of State Action."
- 71 Voigt, "Relational Equality and the Expressive Dimension of State Action," 640–41.

express, embody, and manifest certain attitudes towards those citizens.⁷² States treat certain citizens as morally inferior, and express, embody and manifest attitudes that those citizens are morally inferior if and when the state's policies, practices, and/or institutional arrangements are incompatible with a principle that those citizens are viewed and treated with respect as moral equals.⁷³ For instance, legislation denying Black citizens the vote, in being incompatible with a principle that those citizens are political and moral equals, patently treats them as political and moral inferiors, and expresses, embodies, and manifests that attitude towards them.⁷⁴ Similarly, a policy of anti-Black racial segregation, in being inconsistent with a principle that the segregated racial group are equals worthy of inclusion, treats and expresses members of that group as inferior and "send[s] the message that blacks are untouchable, a kind of social pollutant from which pure whites must be protected."75 And institutional neglect too treats and expresses citizens as inferior. For instance, avoidably failing to provide disabled access to public buildings, in being inconsistent with a principle that disabled persons are equals, worthy of inclusion, and have interests that matter, treats disabled citizens as inferior, expressing, embodying, and manifesting that inferiorizing attitude towards them.⁷⁶

Accordingly, numerous state policies, practices, and institutional arrangements are incompatible with a principle that homeless persons are viewed and treated with respect as human beings with equal moral worth, but instead treat the homeless as inferior and thereby express, embody, and manifest such attitudes towards them. For instance, certain policies and practices treat and express homeless persons as inferior with *hostility*, as if their very existence or presence is undesirable and ought to be excised from public spaces. The use of anti-homeless spikes and other hostile architecture, as well as informal practices such as "wetting down" and others mentioned above, treat the homeless as if they were a "social pollutant" (in Anderson and Pildes' words) that must be prevented from settling in public spaces and affronting the public, and these policies and practices thereby express, embody, and manifest these inferiorizing attitudes. It is similarly the case with exclusionary regulations such as officially sanctioned "moving on" practices, dispersals, and destruction of possessions and tents. In the United Kingdom, the police use "enforcement measures" to

- 72 Anderson and Pildes, "Expressive Theories of Law," 1520. See also Schemmel, "Distributive and Relational Equality."
- 73 Anderson and Pildes, "Expressive Theories of Law," 1508.
- 74 Anderson and Pildes, "Expressive Theories of Law," 1508.
- 75 Anderson and Pildes, "Expressive Theories of Law," 1528.
- 76 This example is taken from Etinson, "What's So Special About Human Dignity?"

forcibly exclude homeless persons from certain urban locations (under threat of arrest or effectively unpayable fines), and in certain cases, their belongings and tents are destroyed by police and local authorities.⁷⁷ And in the United States, this phenomenon is pervasive: across many cities, anti-camping laws authorize the police to clear encampments by destroying camping materials and forcing homeless persons to move on (even if they have no alternative shelter).⁷⁸ These practices are commonly referred to as "sweeps," which itself betrays a dehumanizing norm, as those affected report: "The word 'sweep' that they use kind of [feels] like being swept like trash. I mean we're not trash, we're people."⁷⁹

Homeless persons are also treated and expressed as inferior with *contempt*, as if they were a nuisance or pests. As Waldron notes, in the United States, many cities have laws that prohibit begging, sleeping, and camping in public places.⁸⁰ In New York, for example, people are arrested for being "outstretched" on public transport.⁸¹ The United Kingdom also enacts local legal prohibitions on such activities.⁸² In particular, the Criminal Justice Bill, which is progressing through Parliament at the time of writing, contains clauses criminalizing "nuisance begging" and "nuisance rough sleeping," which will give police and local authorities greater powers to move on, fine, or otherwise arrest and imprison those who ask for assistance or sleep rough in public places if and when those activities are deemed a "nuisance," which includes causing "excessive noise, smells, litter or deposits of waste."83 Rather than address the needs of homeless persons, these practices and legislation instead *penalize* them for activities that are symptomatic of the very condition of homelessness (for instance, having to sleep rough and ask for assistance). This discounts the fundamental interests and needs of homeless persons (for instance, to sleep) to be outweighed by the

- 77 Sanders and Albanese, "An Examination of the Scale and Impact of Enforcement Interventions on Street Homeless People in England and Wales"; Liberty, "Met Police Issues Apology and Admits Officers Acted Unlawfully After Homeless People's Tents Removed and Destroyed"; and Warren, "Camden Council Admits Role in Removal of Homeless Tents."
- 78 See Trotta "Homeless Crackdown Gains Momentum in California as US Supreme Court Test Looms"; and Rush, Har, and Casey, "Cities Crack Down on Homeless Encampments."
- 79 David Sjoberg, Denver encampment resident, quoted in Rush, Har, and Casey, "Cities Crack Down on Homeless Encampments."
- 80 Waldron, "Homelessness and the Issue of Freedom," 41.
- 81 Oladipo, "Alarm as us States Pass 'Very Concerning' Anti-Homeless Laws."
- 82 Sanders and Albanese, "An Examination of the Scale and Impact of Enforcement Interventions on Street Homeless People."
- 83 Criminal Justice Bill, originated in the House of Commons, Session 2023–24, https://bills. parliament.uk/bills/3511/. At the time of writing, there is debate about whether the clause relating to "smells" will be included in the final bill.

more trivial interests of the public not to be troubled by the sight of homeless persons sleeping rough or by uncomfortable interactions with them. This is incompatible with treating homeless persons with respect as moral equals and with regarding their interests and needs as having (equal) moral significance. Moreover, these activities and the homeless persons themselves who perform them are then officially labelled *by the state* as "nuisances," and this demeaning judgement is subsequently expressed and enforced as a matter of public law.

Homeless persons are also treated and expressed as inferior with *neglect*. If a state avoidably fails to adopt policies to address the urgent needs of certain citizens and instead tolerates their avoidable suffering, this institutional neglect shows disregard for them and discounts their urgent needs in a way that is incompatible with respecting their moral worth. For instance, avoidably failing to provide access to treatment for a disease that disproportionately affects a certain minority, and instead allowing those citizens to avoidably suffer and die from that disease treats and expresses those citizens and their urgent needs as having little to no moral importance.⁸⁴

There are effective public policy responses available to alleviate homelessness. In the United Kingdom, increased housing allowance, widening access and recourse to public funds, and increased funds to local authorities to provide supported temporary and permanent accommodation would do much to prevent and mitigate street homelessness. Longer-term increases in the affordable and social housing supply and supported accommodation drastically decrease the number of persons sleeping rough.⁸⁵ Plus, the present "staircase model" used in the United Kingdom, where permanent housing is conditional on a homeless person progressively engaging with certain services in order to demonstrate that they are "ready for housing," can be replaced with a "housing first model." This latter model of providing unconditional housing with social support demonstrably increases stability and housing retention, improves physical and mental well-being, strengthens social networks, increases employment and engagement with treatments for mental ill health and substance misuse, and reduces engagement with the criminal justice system.⁸⁶ Such a model has eradicated homelessness in some European cities.⁸⁷

- 84 For example, the historical unresponsiveness of governments to address the outbreak of AIDS among gay and bisexual men is widely seen to have been the result of indifference if not outright prejudice towards such minorities. See La Ganga, "The First Lady Who Looked Away."
- 85 See The Economist, "How to Cut Homelessness in the World's Priciest Cities."
- 86 Mackie, Johnsen, and Wood, "Ending Rough Sleeping"; and Homeless Link, "About Housing First."
- 87 Trewern, "The City with No Homeless on Its Streets."

Homelessness is thus avoidable. For an affluent state in its institutional arrangements to avoidably fail to adopt such available durable solutions to address homelessness is to allow fellow citizens to be and remain homeless and suffer needlessly, which is incompatible with viewing and treating such persons with respect as having equal moral worth. Rather, institutional arrangements that allow citizens to avoidably remain homeless and thereby suffer and, in certain cases, die on the streets treat those affected as if they do not count morally or count for very little, since they disregard homeless persons and their urgent interests and needs as having too little moral importance to be worth (spending sufficient recourses on) responding to. And this treatment is something the homeless are all too aware of and are at risk of internalizing-with tragic consequences. As one homeless person in the United Kingdom, Dan, has reported, "I know people who have committed suicide and overdosed, you know, because they can't be dealing with it anymore.... I've almost done it myself. But yeah, I do find a lot of people think they're, you know, being ignored or forgotten about and that—that is the way it feels, you know?"88

Hence, moral status harm underpins and is manifested in public policy: a wide range of policies, practices, and institutional arrangements that have substantial and pervasive impacts on homeless persons' lives, experiences, and interactions with the state fail to treat them with concern and respect as moral equals, instead treating them as inferior, with hostility, contempt, and/ or neglect and expressing, embodying, and manifesting those inferiorizing attitudes towards them.⁸⁹

Moreover, public policy can then reinforce inferiorizing norms among citizens.⁹⁰ For instance, a policy of racial segregation signals that the segregated racial group lacks equal status, and the policy thereby reinforces and legitimizes such attitudes among the public with official approval. Hence, if and when the state adopts policies that demonstrably treat and express the homeless as inferior with hostility, contempt, and/or neglect, this reinforces and legitimizes such attitudes among citizens insofar as it enacts a *permissibility fact*—namely, that it is indeed permissible to treat the homeless as morally inferior with hostility, contempt, and/or neglect.⁹¹ This not only risks increasing the extent and

- 88 Sanders and Albanese, "It's No Life at All," 17.
- 89 I borrow the terms 'hostility', 'contempt', and 'neglect' as applied to the expressive function of state action from Schemmel, "Distributive and Relational Equality."
- 90 Etinson highlights how "laws can threaten one's standing in the eyes of others" ("What's So Special About Human Dignity?" 370–71) and trigger disrespectful attitudes and expressions thereof towards those targeted. See also Voigt, "Relational Equality and the Expressive Dimension of State Action," 447.
- 91 The concept of a permissibility fact is borrowed from McGowan, Just Words, 110-11.

severity of instances of inferiorizing interactional treatment of the homeless but also a self-reinforcing loop of exacerbating marginalization whereby public policies harden already inferiorizing attitudes among certain citizens, who then pressure (or have those preferences enacted by) state authorities to introduce further and harsher public policies regarding the homeless, which in turn further harden attitudes, and so forth—such that the homeless are increasingly further and further marginalized by public policy and society in general.

More broadly then, the harm of being viewed and treated as morally inferior, I believe, helps explain (in part) the unsettling phenomenon of the tacit acceptance of avoidable homelessness. The fact that the homeless are viewed as morally inferior *ipso facto* underpins their political and societal neglect and explains why society accepts their suffering as insufficiently morally important to respond to. Their interests and needs as human beings are given insufficient moral weight, and the homeless themselves are not viewed as sufficiently morally important to be worth caring about, and hence they can be permissibly ignored and their avoidable suffering tolerated. If instead, the moral worth of the homeless and their needs and interests as human beings were sufficiently recognized, then their avoidable plight would be viewed as unacceptable and responded to with increased urgency interactionally and institutionally. At least part of the solution to the unsettling phenomenon then is the renewed acknowledgement and affirmation of the equal humanity and moral worth of our fellow citizens facing homelessness (as will be discussed further in section 6).

In sum, the status-based account reveals a crucial yet underacknowledged moral harm: homeless persons endure *social status harm* to such an extent that they are stigmatized in virtue of their homelessness, which in turn results in *moral status harm*. This is an egregious harm itself; which also underpins further serious harms of abuse and violence; underpins and is manifested in public policy that treats and expresses homeless persons as inferior, with hostility, contempt, and/or neglect; and underpins the political and societal neglect of their avoidable suffering more broadly. This is a harm that has been overlooked and one that generates compelling moral reasons to address it: anyone who objects to human beings being treated as morally inferior should find the plight of homelessness one of acute normative concern.

6. OBJECTIONS AND FURTHER DEVELOPMENT

It may be objected that the implication of the status-based account is merely that homeless persons ought to be viewed and treated with respect as human beings with equal moral worth. But this implication is *trivially true* and unambitious or limited in scope. Most concerningly, objectors may argue that the status-based account does not appear to ground an obligation to provide a home. Indeed, to press this worry, the status-based account may be vulnerable to the following case-based objection that is structurally similar to those raised against the freedom-, privacy-, and care-based accounts.

Public Relations: The UK government, troubled by the status harm endured by the homeless, initiates a comprehensive public relations campaign to adjust public attitudes and social norms towards viewing and treating homeless persons with respect as moral equals. The government then rests content, having addressed the status harm.⁹²

Such a PR campaign clearly fails to respond to the urgent needs of the homeless or to provide an adequate durable solution. But the status-based account cannot explain why or rule out such a proposal as unacceptable, and it therefore appears limited and unable to ground substantive, durable solutions. Hence, we might favor the freedom-, privacy- and/or care-based accounts as identifying the more morally salient harms of homelessness, the alleviation of which would represent more substantive improvements.

In response, the status-based account has more substantive implications than may initially be apparent. As a preliminary point, it is true that on the status-based account, individuals ought to treat homeless persons with respect as moral equals. But if interpersonal public abuse, violence, and neglect stem from the homeless being viewed as morally inferior and from the resulting assumptions that it is permissible to abuse, assault, or otherwise neglect them, then even the acceptance of norms that the homeless must be treated with respect as moral equals and hence that such inferiorizing treatment is unacceptable would do much to reduce the prevalence of interpersonal abuse and violence and to improve interpersonal responsiveness. Hence, even this change would not be an insubstantial improvement to the plight of many homeless persons. Yet most fundamentally, the status-based account yields wider and more substantive implications beyond this.

First, though it is true that the harm of being viewed and treated as having inferior moral worth is contingent on persons' attitudes towards and treatment of the homeless, the status-based account is alive to the fact that these attitudes and treatment are themselves contingent on distributions of and access to certain goods and opportunities. Recall that it is the lack of (access to) certain material goods, opportunities, and markers of social standing that causes social status harm, stigmatization, and, in turn, moral status harm. It is precisely *because* homeless persons are less or unable to attain certain social

92 I thank an anonymous reviewer for this objection.

and material goods with attached meanings of social status that they are viewed and treated as socially inferior, stigmatized, and thereby viewed and treated as morally inferior. Alleviating such harms therefore requires substantive practical reform to improve the material conditions, opportunities, and distributions of and access to certain goods in order to block the inferiorizing perception of the homeless and to secure the material conditions necessary for homeless persons to be able to participate in society and relate to others as (perceived) equals.

Indeed, for relational egalitarians, the aim is to secure the material conditions necessary for egalitarian social relations. For Anderson, material distributions matter as causes, consequences, and constituents of social relations, and all persons are entitled "to whatever capabilities are necessary to enable them to avoid or escape entanglement in oppressive social relationships" and "the capabilities necessary for functioning as an equal citizen in a democratic state."93 This involves securing what Anderson elsewhere (drawing from Rawls) terms the social bases for equal standing: primary goods such as basic liberties, rights, wealth, income, and opportunities as well as other material goods.⁹⁴ Thus, it is the securing of requisite material conditions, goods, and capabilities that is the proper focus for tackling unequal social relations rather than individuals' perceptions themselves. Therefore, alleviating moral status harm requires structural reform in order to secure the material conditions, goods, and capabilities necessary for homeless persons to function, participate, and be regarded as equal members of society and thereby block inferiorizing perceptions and treatment. Crucially, it is the nonpossession of a home that precludes social standing and results in stigmatization and inferiorizing perception and treatment of the homeless. It is precisely because persons are home less that they are viewed as socially inferior, stigmatized, and thereby viewed and treated as morally inferior. Therefore, capabilities to obtain permanent housing are *required* to address this harm and to instantiate more egalitarian social relations. Therefore, the status-based account can and does indeed ground an obligation to provide homes.

Further, this analysis helps explain why the status-based account is not vulnerable to the Public Relations objection. Since social norms are tied to distributions of and access to certain material conditions, goods, and capabilities, they are entrenched, are resistant to change, and, even if changed (for a short period), have the propensity to replicate.⁹⁵ In our context, root norms—for

⁹³ Anderson, "What Is the Point of Equality?" and "Equality."

⁹⁴ Anderson, "Justifying the Capabilities Approach to Justice." See also Anderson, "Equality"; and Schemmel, "Why Relational Egalitarians Should Care About Distributions."

⁹⁵ See Schemmel, "Why Relational Egalitarians Should Care About Distributions," for an in-depth analysis of how the distribution of certain goods is tied to social norm formation and endurance.

instance, that having a home and a decent standard of living are (socially) valuable-may not in themselves necessarily be problematic in merely reflecting what persons value (for themselves). Nonetheless, as shown in section 5, these norms metastasize into more harmful norms of viewing and treating persons who lack certain valued markers as socially inferior, of stigmatizing them, and thus of viewing and treating them as morally inferior. Hence, any public relations campaign alone would be insufficient in addressing status harm, since the inferiorizing norms, tied as they are to distributions, will be entrenched, resistant, and self-replicating. Instead, to address status harm, persons must be securely viewed and treated as moral equals, which in turn requires reform of institutional arrangements to secure access to certain conditions, goods, and capabilities. For instance, if a minority group lacked access to education and members were therefore unable to read or write and were resultantly stigmatized and treated as inferior by others, the proper response to securely block this status harm would require adjusting institutional arrangements to provide access to education. Accordingly, if homeless persons are stigmatized and treated as inferior in virtue of their being homeless, the proper response to securely block this status harm requires adjusting institutional arrangements to provide access to material conditions, goods, and capabilities—in this case, securing access to permanent housing as an institutional protection against inferiorization. Therefore, the status-based account does have substantive implications and is able to ground an obligation to provide durable solutions.

Second, the status-based account further has substantive implications since addressing status harm requires reform of the policies, practices, and institutional arrangements that *themselves* treat homeless persons as morally inferior and express, embody, and manifest such attitudes towards them. Accordingly, the hostile architecture and practices, exclusionary regulations, enforcement measures, and "sweeps" that treat homeless persons as inferior with hostility, as well as the ordinances and legislation that penalize homeless persons as "nuisances," thereby treating them as inferior with contempt, require reform (if not outright prohibition). Crucially, as demonstrated in section 5, institutional arrangements that allow citizens to avoidably remain homeless and as a result to suffer and, in some cases, die on the streets, when there are effective durable solutions to address homelessness available, are *themselves* incompatible with a principle of respecting the moral worth of those citizens. Recall that, by allowing avoidable homelessness, such institutional arrangements treat and express those affected as inferior with disregard and neglect since they treat homeless persons and their urgent needs and interests in avoiding homelessness and associated harms as having insufficient moral value to be worth (spending sufficient resources on) responding to. Thus, viewing and treating the homeless

as moral equals would entail that these policies, practices, and institutional arrangements would be unacceptable and subject to reform.

Hence, a key feature of the status-based account is that it entails that addressing status harm requires alternative policies, practices, and arrangements that are in fact compatible with respecting homeless persons as moral equals and thereby treat and express them as such moral equals. Public policy can treat and express previously inferiorized citizens as respected moral equals and include them as equal members of society, thereby redressing status harm. For instance, enacting equal marriage legislation expresses civil, social, and moral equality for LGBT+ citizens, whereas avoidable failure to do so would treat and express those citizens as inferior; and policy securing the effective right to vote for previously disenfranchised minorities signals their equal political, social, and moral status, whereas avoidable failure to do so would treat and express them as inferior. Accordingly, addressing the status harm endured by homeless persons requires the implementation of policies, practices, and institutional arrangements whereby durable solutions to alleviate (the harms of) homelessness are indeed adopted to provide secure access to permanent housing. Such implementation is necessary in order for policies, practices, and arrangements to be compatible with the principle that homeless persons are respected as moral equals, since avoidable failure to do so and leaving those persons to avoidably suffer homelessness and the associated harms would treat and express them as inferior. The implementation of polices, practices, and arrangements to secure durable solutions instead respects, recognizes, and publicly affirms the moral worth and equality of homeless persons and their needs and interests as human beings.

For instance, sustained investment in and provision of durable solutions to secure capabilities to obtain permanent housing—including increased funding for supported temporary and permanent accommodation, widened access to public funds and housing allowance, enhanced supply of affordable and social housing, and implementation of housing-first initiatives—would represent a visible commitment to the equal status of homeless persons and would publicly affirm that their avoidable suffering is unacceptable, that their interests and needs matter morally and are worth investing in, and hence that homeless persons themselves matter morally and are worthy of inclusion as social and moral equals.

Relatedly, if the broader political and societal neglect that underpins the unsettling phenomenon is caused and explained by a lack of recognition of the moral worth of homeless persons and a disregard for the moral weight of their needs and interests, then the due presence of such recognition would necessitate political and societal responsiveness towards addressing their plight. The interests, needs, and worth of homeless persons as human beings are given insufficient moral weight in the deliberations of policymakers and members of society more broadly. If, instead, the equal moral worth of homeless persons as human beings and the moral weight of their needs and interests were recognized as is due, then their avoidable suffering would become unacceptable. This would necessitate enhanced substantive political and societal responsiveness to their needs and interests and would provide the impetus for reform to alleviate their plight and thus to establish the alternative arrangements that secure durable solutions to redress avoidable homelessness.

Hence, the status-based account grounds obligations to provide durable solutions since addressing status harm requires substantial reform of a wide range of specific policies, practices, and institutional arrangements that treat and express homeless persons as inferior, including the institutional arrangements and political and societal neglect that allow our fellow citizens to avoidably suffer homelessness. In their place, alternative policies, practices, and arrangements that treat and express homeless persons as equals are required, including policies, practices, and arrangements that secure their capabilities to obtain permanent housing.⁹⁶

Last, we ought not reject the status-based account in favor of other accounts since the status-based account is a complimentary and necessary supplement. Each of the freedom-, privacy-, and care-based accounts reveals important insights, and they are not necessarily opposed to each other. It is plausible that homelessness does indeed involve the deprivation of freedom, privacy, psychological well-being, autonomy, and individuality, as well as the deprivation of basic needs—all of which ought to be addressed. The status-based account adds to this understanding by demonstrating the harm of being treated as morally inferior—which must also be alleviated. Each account thus contributes to a more complete understanding and demonstrates an additional moral reason to be concerned with the plight of homeless persons, thereby strengthening moral reasons to alleviate homelessness.

The status-based account is also *necessary* as a supplement to address the limitations of existing accounts insofar as it rules out their potential problematic public policy responses. The freedom-based account risked grounding

⁹⁶ This provides an additional reason why the status-based account is not vulnerable to the Public Relations objection. Implementing a public relations campaign—as opposed to addressing urgent needs and providing durable solutions—and hence leaving the avoidable suffering of homelessness intact would fail to treat homeless persons with respect as moral equals, since it would neglect their urgent needs and allow their avoidable suffering and thereby express that homeless persons are not sufficiently morally important and so may be allowed to continue to suffer. Therefore, such a policy would be ruled out by the status-based account.

obligations only to provide more freedom to sleep, wash, or relieve oneself in public or only to provide "liberty spaces." The privacy-based account risked grounding obligations only to provide privacy in the form of curtained-off areas or invisibility. And the care-based account risked the implication that homeless persons could be coerced into workhouses. None of these proposals are morally acceptable, and the status-based account explains why: these proposals fail to treat homeless persons with respect as human beings with equal moral worth because they fail to respond appropriately to the moral weight of their needs and/or to respect their autonomy. Therefore, the existing accounts require the supplementary status-based account with its central prescription to treat homeless persons with respect as moral equals to avoid their respective unacceptable conclusions. Moreover, this supplement now yields the more complete view that the physical and psychological suffering, freedom deprivations, privacy deprivations, needs deprivations, and status deprivations ought to be addressed in a way that treats and respects homeless persons as having equal moral worth.97

Only with this supplement can the accounts ground an obligation to provide homes. Each account on its own, or even together, fails to ground such an obligation, since these accounts, in not including the condition to treat and respect homeless persons as moral equals, risk justifying problematic sub-home proposals that fail to respond appropriately to the moral weight of the urgent needs of homeless persons and/or to respect their autonomy. The complete view with the status-based account supplement, however, *does* ground an obligation to provide homes, since providing a home (capabilities to obtain permanent housing) is the only means of addressing these various deprivations that treats and respects homeless as human beings with equal moral worth: it gives appropriate weight and responds to the moral importance of the urgent needs of homeless persons, respects them as autonomous agents, and treats them as worthy of due moral consideration and inclusion within society as equals.

The status-based account therefore does have substantial implications and is able to ground obligations to provide homes in at least three ways. First, the account requires reform of material conditions, goods, and capabilities to secure access to permanent housing as a necessary means to block inferiorizing perception and treatment. Second, the account requires substantial reform of policies, practices, and institutional arrangements that treat and express homeless persons as inferior (including political and societal neglect and institutional arrangements that allow avoidable homelessness), in favor of policies,

97 This again sustains why the status-based account is not vulnerable to the Public Relations objection. Implementing a public relations campaign alone while allowing continued suffering would fail to treat homeless persons with respect as moral equals. See note 96 above. practices, and arrangements that treat and express homeless persons as moral equals (including institutional arrangements that secure capabilities to obtain permanent housing). And third, the account acts as an essential supplement to existing accounts, which only with this inclusion can ground an obligation to provide homes as the means to address liberty, privacy, and needs deprivations in a way that respects the moral worth of homeless persons. Therefore, the status-based account reveals a crucial and underacknowledged moral harm, the recognition and alleviation of which does indeed ground and motivate substantive and durable responses.

7. CONCLUSION

This paper aimed to provide an account of the underacknowledged moral harms of homelessness that could ground and motivate durable responses, with a broader view to challenge the unsettling phenomenon of the tacit acceptance of avoidable homelessness in affluent societies. I have argued that the status-based account is able to do this. This account reveals that a crucial harm that homeless persons face is that they are viewed and treated as having inferior social status, are stigmatized, and as a result are viewed and treated as having inferior moral worth. This underacknowledged harm must be alleviated. Addressing this harm through the due recognition of the moral worth of the needs, interests, and humanity of homeless persons provides the grounds and impetus necessary for enhanced responsiveness, substantive practical reform of policies, practices, and institutional arrangements, and the implementation of adequate durable solutions such that the avoidable suffering of our fellow citizens facing homelessness is no longer an accepted feature of our social landscapes.⁹⁸

University of St Andrews bhs8@st-andrews.ac.uk

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